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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

FAYTH SHAMARIAH JONES,

Defendant.

CASE NO. 2:20-CR-00032-WBS

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: June 9, 2021
TIME: 10:00 a.m.
COURT: Hon. William B. Shubb

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on June 9, 2021.
2. By this stipulation, defendant now moves to continue the status conference until August 16, 2021 at 9:00 a.m., and to exclude time between June 9, 2021, and August 16, 2021, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes many hours of video footage, multiple written reports, and numerous photographs. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying. In May 2021, approximately 6,000 jail calls from Jones's former co-

1 defendants – Scott and Carney – were received by the government. A review of some of these
2 calls indicated that they may contain information that the government could be obligated to
3 disclose pursuant to *Brady v. Maryland*. Given that possibility – and the amount of time it would
4 take to review these calls and confirm each call’s possible exculpatory nature – the government
5 opted to turn these calls over in their entirety to defendant Jones. Since their disclosure in May,
6 Ms. Jones’s counsel, Mr. Thompson, has been diligently reviewing these calls. However, these
7 calls number in the hundreds of hours.

8 b) Counsel for defendant desires additional time to review these calls to determine
9 whether there is any exculpatory material on them, follow up on any leads that may come from
10 this information, as well as to prepare for trial.

11 c) Counsel for defendant believes that failure to grant the above-requested
12 continuance would deny him/her the reasonable time necessary for effective preparation, taking
13 into account the exercise of due diligence.

14 d) The government does not object to the continuance.

15 e) Based on the above-stated findings, the ends of justice served by continuing the
16 case as requested outweigh the interest of the public and the defendant in a trial within the
17 original date prescribed by the Speedy Trial Act.

18 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
19 et seq., within which trial must commence, the time period of June 9, 2021 to August 16, 2021,
20 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
21 because it results from a continuance granted by the Court at defendant’s request on the basis of
22 the Court’s finding that the ends of justice served by taking such action outweigh the best interest
23 of the public and the defendant in a speedy trial.

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2 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
3 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
4 must commence.

5 IT IS SO STIPULATED.

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8 Dated: June 7, 2021

PHILLIP A. TALBERT
Acting United States Attorney

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10 /s/ MICHAEL W. REDDING
MICHAEL W. REDDING
Assistant United States Attorney


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12 Dated: June 7, 2021

13 /s/ JARED THOMPSON
JARED THOMPSON
Counsel for Defendant
FAYTH SHAMARIAH JONES

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17 **FINDINGS AND ORDER**

18 IT IS SO FOUND AND ORDERED.

19 Dated: June 7, 2021

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WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE